

BIOMETRIC AIR EXIT

Standard Operating Procedure



U.S. Customs and Border Protection

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Appendix B: Migrating UPAX (b) (7)(E)

Appendix C: UPAX Port of Entry Dashboard for (b) (7)(E)

1 Purpose

The purpose of this policy is to provide operational guidance and establish field responsibilities for personnel assigned to (b) (7)(E) for biometric exit operations. This policy outlines the exception procedures (b) (7)(E) will follow to support biometric exit.

2 Background

In 2004, Congress required the Department of Homeland Security (DHS) to develop a biometric entry and exit system. In 2013, Congress transferred the entry/exit mission to U.S. Customs and Border Protection (CBP). Once the mission was transferred, CBP began testing various solutions and deploying biometric pilots across land and air ports of entry. In 2016, facial recognition exit testing began, leading to a realistic, scalable and adaptable biometric solution.

In order to support the biometric mission, CBP developed the Traveler Verification Service (TVS). TVS is a cloud-based matching service provided by CBP to stakeholders. In the air environment, CBP uses traveler data provided by the carrier via the Advance Passenger Information System (APIS) to identify passengers on a flight manifest. Biographic data from the APIS manifest is used to create a photo gallery. The photos are sourced and compiled from various government holdings. (b) (7)(E)

(b) (7)(E) Each gallery is built (b) (7)(E) prior to the corresponding flight's scheduled departure. Prior to departure, each gallery is staged and ready for processing. Once a gallery is staged, it is updated periodically to capture APIS updates and (b) (7)(E) (b) (7)(E) TVS receives a live captured photo during the boarding process and compares it against the TVS gallery formed for a given flight or location to find a match. A match at boarding indicates a biometric confirmation, and is documented as a biometrically confirmed departure in CBP systems.

There may be instances when photos are not loaded into the gallery on legitimate travelers because of name variations, dual citizenship, new or different documents (e.g. I-551 or foreign passport), aliases or other reasons. Reasons photos may not be located include, but are not limited to:

- (b) (7)(E)
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- (b) (7)(E)

(b) (7)(E)

When a photo is not located, the individual traveler may meet Unified Passenger Port of Entry (UPAX POE) (b) (7)(E) or may require exception processing.

TVS technology incorporates a (b) (7)(E)

(b) (7)(E) Together the system is capable of the following:

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(b) (7)(E)

3 Policy

- 3.1 CBP's priority mission is to safeguard America's borders, thereby protecting the public from dangerous people and materials while enhancing the Nation's global economic competitiveness by enabling legitimate trade and travel.
- 3.2 The Intelligence Reform and Terrorism Prevention Act of 2004 and the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law No. 110-53) called for the creation of a nationwide, biometric entry/exit system. In 2013, Congress transferred the biometric mission from the DHS to CBP.

3.3

(b) (7)(E)

4 Definitions

4.1 Biometric Data

Distinctive measurable physical characteristics (such as face and fingerprints) that uniquely identify a person.

4.2 Biometric Matching

Comparing biometrics (normally a live image to an enrolled image or images) to determine if the biometrics are from the same person.

4.3 Matching Exceptions

When the result of the biometric matching service reveals there is no match to a photo gallery.

The biometric (b) (7)(E)

(b) (7)(E)

(b) (7)(E)

4.5 Photo Gallery

The photo gallery, also referred to as TVS gallery, is a compilation of photos pulled from DHS holding based on biographic information used for identity verification and matching. The gallery data is flight/terminal data and a unique identifier (UID) associated to the photo templates along with some photo metadata such as the photo source.

5 Authorities and References

The 1996 Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA, Public Law No. 104-208) called for the creation of an automated system to record arrivals and departures of non-citizens at all air, land and sea ports of entry. The 2002 Enhanced Border Security and Visa Entry Reform Act (EBSVERA, Public Law No. 107-173), the Intelligence Reform and Terrorism Prevention Act of 2004 (IRTPA, Public Law No. 108-458), and the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law No. 110-53) called for the creation of a nationwide, biometric entry/exit system.

6 Procedures Prior to Boarding

6.1 Port Responsibilities

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(b) (7)(E)

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Ports will use all available systems to conduct (b) (7)(E) on travelers departing on outbound international flights in accordance with the procedures outlined in the (b) (7)(E). This responsibility now includes vetting passengers (b) (7)(E).

(b) (7)(E)

(b) (7)(E)

6.2 (b) (7)(E)

(b) (7)(E)

(b) (7)(E)

If it is determined that an individual is in fact an EWI, the ports should make every effort to send an (b) (7)(E) to meet the traveler, capture biometrics, and ensure boarding on an outbound flight.

- Ports should refer identified aliens to the (b) (7)(E) (b) (7)(E) referral steps and procedures are located in Appendix B, Migrating (b) (7)(E) (b) (7)(E)
- (b) (7)(E), once migrated to the (b) (7)(E) will automatically populate on the POE Dashboard by default.
- The (b) (7)(E) (on POE Dashboard) tracks the inspection from initial receipt by (b) (7)(E) to completion. (b) (7)(E) (b) (7)(E)
- (b) (7)(E) inspection results are (b) (7)(E) (b) (7)(E) information is located in Appendix C, (b) (7)(E) for (b) (7)(E)

(b) (7)(E)

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(b) (7)(E)

As the Port identifies travelers requiring additional action by (b) (7)(E) the traveler's information will be sent to the (b) (7)(E) or other enforcement (b) (7)(E)

(b) (7)(E) will prioritize and coordinate gate responses in accordance with existing outbound policy and the (b) (7)(E) to address issues that cannot be resolved directly through targeting.

If the port confirms EWI status through targeting and cannot respond, the port must take steps to place a (b) (7)(E) with as much information as possible to prevent future re-entry and inform other law enforcement officers of the alien's status. An (b) (7)(E) is the minimum required action.

During a response, if it is suspected that the traveler entered without inspection, CBP officers will examine the subject's document and question the subject about his or her status in the United States. Once it is confirmed that the subject is an EWI, the alien will be processed in the mobile application in accordance with Appendix B. The processing includes:

- Biometric collection (photo and fingerprints) for submission to (b) (7)(E)
- Law enforcement database queries (b) (7)(E)
- (b) (7)(E) and
- Documentation of the encounter in CBP systems.

If, during gate processing, it is determined that the subject has wants or warrants, has a different identity than the document presented, is a prior removal or deportee and meets prosecutorial thresholds, or is of any other CBP or law enforcement interest, the individual will be escorted to the CBP area and processed in accordance with the non-arriving alien policy. CBP officers should inform the air carrier that the traveler will be offloaded as soon as possible.

8 Air Carrier Boarding Process

Biometric exit solutions are supported by the airline industry. Biometric matching and flight confirmation occurs at the gate during the boarding process. The air carriers should adhere to the following procedures:

- At the departure gate, a traveler's photo is captured as the traveler approaches the boarding area. Once a satisfactory image is captured, the camera will provide a biometric match indicator.
- If the camera is unable to capture a satisfactory image, a second attempt at photo capture should occur.

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- If a satisfactory image is still not obtained or the camera displays a no match indicator, the air carrier will follow the procedures outlined in section 8.1, Air Carrier Exception Procedures, of this policy.

8.1 Air Carrier Exception Procedures

As it pertains to CBP's biometric exit requirement, U.S. citizens, Canadian citizens, and travelers under 14 or over 79 are currently out-of-scope. In the event that any of these categories of travelers decline to be photographed (i.e., opt out from using TVS) or do not match via TVS, the air carrier may execute alternative manual processing. All other foreign nationals are required to submit their biometrics to the U.S. Government.

In the event that a U.S. citizen does not match through TVS or opts out at the departure gate, air carrier personnel should verify the traveler's identity against his or her U.S. passport before permitting the travel to board the aircraft. Once identity is verified, the air carrier personnel can revert to a manual boarding process. If the air carrier has any concern about the authenticity of the U.S. passport, or any concerns that the traveler is not the true bearer of the document, CBP may be contacted to adjudicate the matter.

CBP does not mandate an air carrier collect biometrics if an in-scope traveler declines to participate in the biometric process, but recommends that the air carrier advise the traveler of the repercussions (i.e. visa revocation/ ESTA denial) of not complying with biometric exit. For non-U.S. citizens, to include LPRs, that do not match through TVS, attempt to opt out, or refuse to participate at the departure gate, CBP should be contacted for adjudication.

(b)(7)(E)

In regards to non-U.S. travelers, the air carrier, operating under its own authorities and business processes, can choose not to board the traveler if the traveler's identity is not adjudicated by CBP in time to allow for a timely departure. Air carrier personnel are not expected to detain or restrain passengers at the gate.

8.2 CBP Response

In all instances when contacted by a carrier, CBP will respond as soon as operationally feasible. CBP will inform the carrier as to an estimated time of arrival. This is different from an EWI response that is prioritized by Outbound guidance.

9 Equipment Failure and Outages

9.1 Proprietary Equipment Failure

When proprietary equipment is in use and that equipment is not working, gate agents should revert to manual processing and follow guidance provided by the manufacturer or service provider.

9.2 Mobile Enforcement Device Outage

If the BEMA or other mobile enforcement runs excessively slow or suffers an outage, officers are encouraged to immediately complete routine maintenance on the slow or inoperable device (per device policy) or replace the device with a substitute/backup device.

Absent an operable enforcement device, officers will manually verify authenticity of documents and identity. Once identity is determined, allow the traveler to proceed through security or to the boarding gate.

(b) (7)(E)



9.3 Scheduled TVS or Mainframe Outages

During scheduled maintenance outages, the (b) (7)(E) or other designated unit will follow outage established outage protocols. There are built in redundancies that should not affect equipment operations, but if there is an adverse effect, users should revert to manual processing.

9.4 Unscheduled TVS or System Outage

In the event of an unscheduled TVS or system outage or TVS is returning excessive response times, biometric exit operations may be temporarily suspended. Air carriers can resort to manual processes until the system is back online. CBP officers should respond to (b) (7)(E)

(b) (7)(E)

(b) (7)(E)